

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SMALL PARTICLE COMPOSITIONS FOR INTRANASAL DRUG DELIVERY

the specification of which

(check one) ☐ is attached hereto.☒ was filed on May 21, 1993 asApplication Serial No. 08/065,676

and was amended on _____

(If applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>8924935.3</u>	<u>U.K.</u>	<u>Nov. 4, 1989</u>	Priority Claimed
(NUMBER)	(COUNTRY)	(DAY/MONTH/YEAR FILED)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO
(NUMBER)	(COUNTRY)	(DAY/MONTH/YEAR FILED)	<input type="checkbox"/> YES <input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO
(NUMBER)	(COUNTRY)	(DAY/MONTH/YEAR FILED)	<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>07/842,351</u>	<u>Mar. 24, 1992</u>	<u>pending</u>
(APPLICATION SERIAL NO.)	(FILING DATE)	(STATUS) (PATENTED, PENDING, ABANDONED)
<u>PCT/GB90/01676</u>	<u>Nov. 1, 1990</u>	
(APPLICATION SERIAL NO.)	(FILING DATE)	(STATUS) (PATENTED, PENDING, ABANDONED)

If more space is needed for any of the above categories, please continue on an additional form and SIGN.

I HEREBY APPOINT THE FOLLOWING AS MY ATTORNEY OR AGENT(S) WITH FULL POWER OF SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT OFFICE CONNECTED THEREWITH:

Name	Reg. No.	Name	Reg. No.	Name	Reg. No.
Anthony M. Lorusso	25,059	Barbara A. Barakat	32,190	Scott R. Foster	20,570
George A. Loud	25,814	Anne I. Craig	32,976		
Arthur A. Smith, Jr.	24,178	Thomas M. Saunders	29,585		

SEND CORRESPONDENCE TO:

NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Lorusso & Loud	(617) 227-0700	440 Commercial Street	Boston MA	02109

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

LISTING OF APPLICANTS CONTINUED ON PAGE 3 HEREOF. ☐ YES ☐ NOFull name of sole or first inventor Lisbeth ILLUMInventor's signature [Signature] Date _____Residence 19 Cavendish Crescent North, The Park, Nottingham, NG7 1BA, EnglandCitizenship DenmarkPost Office Address same as above

Full name of second joint inventor, if any _____

Second inventor's signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of third joint inventor, if any _____

Inventor's signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

08877273-064797

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of*: Lisbeth Illum

Serial No.: 0 8/065,676

Group No.:

Filed: May 21, 1993

Examiner:

For*:

"Small Particle Compositions For Intranasal Drug Delivery"

☐ Patent No.:

Issued:

*NOTE: Insert name(s) of inventor(s) and title also for patent. Where the refund request is with respect to a maintenance fee payment also insert application serial number and filing date and add Box M. Fee to address.

Commissioner of Patents and Trademarks

Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND

(37 C.F.R. 1.28(a))

I. SUBMISSION OF VERIFIED STATEMENT

(Complete (a) or (b))

- (a) ☒ Attached is a verified statement claiming small entity status in this application.
(b) ☐ A verified statement claiming small entity status was filed in this application on _____

II. REFUND REQUEST

This request for refund is made within two months of the date a fee was paid in this application on May 21, 1993 in the amount of \$ \$355

NOTE: The two-month period (§ 1.28(a)) is not included in the provisions for extension under 37 C.F.R. 1.136 since it is not a period for response. Notice of November 30, 1983, 49 FR 548, January 4, 1984.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Anna-Louise Owens

(Typed or printed name of person mailing paper)

Date: July 9, 1993

Anna Louise Owens

(Signature of person mailing paper)

(Request for Refund [7-9]—page 1 of 2)

08877273 061797

III. FEES PAID FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input checked="" type="checkbox"/> filing fee	\$ 355
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))	\$
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$
<input type="checkbox"/> extension of term	\$
<input type="checkbox"/> issue fee	\$
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	\$
<input type="checkbox"/> second maintenance fee	\$
<input type="checkbox"/> third maintenance fee	\$
<input type="checkbox"/> patent maintenance fee surcharge.	
NOTE: The refund provisions of § 1.28(a) for later submitted small entity statements apply to maintenance fees. Notice of July 30, 1984, 1046 O.G. 28-37.	
<input type="checkbox"/> other	\$

TOTAL REFUND REQUESTED \$ 355


IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Account No. 12-2147
☐ refunding overpayment

Reg. No.: 20,570

Tel. No.: (617) 227-0700


Signature of attorney
Scott R. Foster
Type or print name of attorney
Lorusso & Loud
P.O. Address
440 Commercial St. Boston, MA 02109

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of:

Serial No.: 08 / 065,676

Group No.:

Filed: May 21, 1993

Examiner:

For: "Small Particle Compositions For Intranasal Drug Delivery"

Lisbeth Illu

☐ Patent No.:

Issued:

*NOTE: Insert name(s) of inventor(s) and title also for patent. Where submission is with respect to a maintenance fee payment also insert application serial number and filing date and mark Form Box M. Fee.

Commissioner of Patents and Trademarks
Washington, D.C. 20231

SUBMISSION OF VERIFIED STATEMENT(S) TO ESTABLISH
SMALL ENTITY STATUS

The attached statement is being submitted to establish small entity status in this

☒ application

☐ patent

by the:

(check all applicable boxes below)

- a. ☐ independent inventor(s) 37 CFR 1.9(c) and 1.27(b)
- b. ☐ non-inventor supporting claim by author 37 CFR 1.9(c) and 1.27(b)
- c. ☒ small business concern 37 CFR 1.9(d) and 1.27(c)
- d. ☐ non-profit organization 37 CFR 1.9(e) and 1.27(d)

Reg. No. 20,570

Tel. No. (617) 227-0700

Scott R. Foster
SIGNATURE OF ATTORNEY

Scott R. Foster

Type or print name of attorney

Lorusso & Loud

P.O. Address

440 Commercial St. Boston, MA 02109

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231

Anna-louise Owens

(Type or print name of person mailing paper)

Date: July 9, 1993

Anna Louise Owens

(Signature of person mailing paper)

(Submission of Verified Statement(s) To Establish Small Entity Status [7-11])

PATENT

Attorney's Docket No. EPC-148

Applicant or Patentee: Lisbeth Illum

Serial or Patent No.: 0 8 / 065,676

Filed or Issued: May 21, 1993

For: "Small Particle Compositions For Intranasal Drug Delivery"

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Danbiosyst UK Limited

ADDRESS OF CONCERN 6 William Lee Building, Highfields Science Park,
Nottingham, NG7 2RQ, England

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled

"Small Particle Compositions For Intranasal Drug Delivery"

by inventor(s) Lisbeth Illum

described in

- ☐ the specification filed herewith.
- ☒ application serial no. 08 / 065,676, filed May 21, 1993.
- ☐ patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status, as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Lisbeth Illum

TITLE OF PERSON OTHER THAN OWNER Managing Director

ADDRESS OF PERSON SIGNING 19 Cavendish Crescent North, The Park,
Nottingham, NG7 1BA, England

SIGNATURE _____

Date

4 May 1993

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lisbeth Illum
08/359,937
Serial No.: Continuation of Art Unit:
U.S.S.N. 08/065,676
Filed: December 20, 1994 Examiner:
For: SMALL PARTICLE COMPOSITIONS FOR
INTRANASAL DRUG DELIVERY

Commissioner of Patents
and Trademarks
Washington, D. C. 20231

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
AND REVOCATION OF PRIOR POWERS

Sir:

As owner of the entire interest of the above-identified patent application, all powers of attorney previously given are hereby revoked and the following attorneys are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Patrea L. Pabst
Madeline I. Johnston

Registration No. 31,284
Registration No. 36,174

Please send all correspondence relating to the above patent application to

Patrea L. Pabst
ARNALL GOLDEN & GREGORY
2800 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3400

Please direct all telephone calls to:

Patrea L. Pabst . (404) 873-8794

The undersigned signatory, Lisbeth Illum, states that he/she is empowered to act on behalf of Danbiosyst UK Limited,

0887273-061797

08/359,937

Continuation of U.S.S.N. 08/065,676

Filed: December 20, 1994

POWER OF ATTORNEY BY ASSIGNEE OF
ENTIRE INTEREST AND REVOCATION
OF PRIOR POWERS

that he/she has reviewed the evidentiary documents establishing
ownership of the above-identified application by Danbiosyst UK
Limited, and certifies that, to the best of his/her knowledge and
belief, title is in Danbiosyst UK Limited.

Danbiosyst UK Limited

By: 

Title: MANAGING DIRECTOR

Date: 17 Feb 95

180463.1

08877273.061797
162790.222880